

230754

UNION PACIFIC RAILROAD
101 N. Wacker Dr., Rm. 1920
Chicago, Illinois 60606-1718

Mack H. Shumata, Jr. Senior General Attorney, Law Department

P 312 777 2055
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August 2, 2011

VIA E-FILING

The Honorable Cynthia Brown
Chief of the Section of Administration
Surface Transportation Board
395 E. Street, S.W.
Washington, DC 20423-0001

ENTERED
Office of Proceedings

AUG 2 - 2011

Part of
Public Record

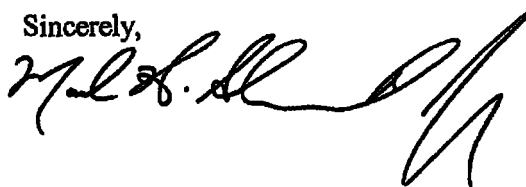
RE: Petition for Exemption to Abandon of a portion of the St. Charles Industrial Lead from M.P. 35.13 to the end of the Line at M.P. 38.3 near St. Charles, a total distance of 3.17 miles in Kane County, Illinois (the "Line"); STB Docket No. AB-33 (Sub-No. 284X)

Dear Ms. Brown:

Union Pacific Railroad Company ("Union Pacific") has received a request from the City of St. Charles, Illinois on behalf of the Local Agencies, seeking to extend the negotiation period covering the issuance of a Certificate or Notice of Interim Trail Use pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 for the portion of the Union Pacific's St. Charles Industrial Lead located in the City from Milepost 35.13 to Milepost 38.3, a distance of 3.17 miles in Kane County, Illinois.

The Union Pacific is willing to extend the negotiation period with the Local Agencies concerning the acquisition of the subject property for trail use and supports the Local Agencies' request to extend the negotiation period for an additional 180-days to March 21, 2012. A copy of the Local Agencies' request for extension is attached hereto as Exhibit A and hereby made a part hereof.

Sincerely,



Attachment

cc: City of St. Charles

O:\Abandonments\33-284X\2011_08_02 STB 180-Days.doc



July 25, 2011

Mr. James Harrel
Senior Manager-Real Estate
Union Pacific Railroad Company
1400 Douglas St., Mail Stop 1690
Omaha, NE 68179-1690



RE: Union Pacific Railroad Company
Abandonment of St Charles, IL Lead
STB Docket No. AB-33 (Sub-No. 284X)
Letter of Intent

ENTERED
Office of Proceedings

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Dear Mr. Harrel:

On July 9th, 2010, the City of St Charles, IL, the County of Kane, Forest Preserve District of Kane County, and the St Charles Park District jointly filed a request for Public Use Condition and a request for Interim Trail Use Condition (NITU) for approximately 3.17 miles of railroad between milepost 35.13 and milepost 38.3 near St Charles, IL. By order dated September 21, 2010, the Board granted the request to implement interim trail use and to permit public use negotiations as specifically set forth in the order, for a period of 180 days commencing from September 21, 2010, and ending on March 21, 2011.

More recently, the City requested a 180 day extension period to continue good faith negotiations. The extension was granted pursuant to STB acceptance of the same. All parties agreed and the abandonment proceedings were extended to September 21, 2011.

The City of St Charles, IL wishes to continue to work with our local partners and Union Pacific Railroad in an effort to satisfy our negotiating needs, and has sent a second extension request to the STB. As discussed, the City and its partners have a sincere desire to work towards acquiring this property for future trail use. The City and its partners continue to pursue grant opportunities to assist in making the acquisition. That pursuit continues to take time. Therefore, the City respectfully requests the Union Pacific Railroad Company consider a 180-day extension until March 21, 2012, or such time as indicated by the Surface Transportation Board.

Thank you for your consideration of this request, and please contact me should you have and questions or concerns.

Very Truly Yours,

Mark Koenen
Direct of Public Works, City of St Charles, IL

CC: Mack Shumate, General Attorney, UPRR
101 North Wacker Drive, Suite 1920
Chicago, IL 60606

RECEIVED

AUG - 1 2011

LAW DEPARTMENT
UNION PACIFIC RR CO.

DONALD P. DeWITTE *Mayor*
BRIAN TOWNSEND *City Administrator*